

**Remarks/Arguments:**

As a result of the amendments, cancellations and additions made herein, claims 1-32, 35, 37, 52-73, 75, 84-89, 91-95, 97-109 and 111-138 are currently pending in this application. Claims 1, 12-17, 19-22, 25, 31, 32, 35, 52, 58, 59, 61-65, 70, 72, 73, 75, 84-86, 91, 93, 95, 97, 103 and 107-109 are amended herein, claims 33, 34, 36, 38-51, 74, 76-83, 90, 96 and 110 are cancelled herein, and claims 111-138 are added herein.

In the Office Action dated July 26, 2005, claims 13-16, 32, 33, 41, 58, 59, 61-65, 74-83 and 96 were objected to for informalities, claims 17, 25, 75 and 76 were rejected under 35 U.S.C. § 112, claims 1-7, 12-13, 17, 19-20, 24, 25, 31, 32, 35, 52-56, 61, 65-72, 74, 75, 78 and 110 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,998,187 to Herrick ("Herrick"), claims 84, 85, 90 and 92 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,249,108 to Gary ("Gary"), and claims 8-10, 14, 15, 16, 18, 21-23, 26, 27, 37, 57-59, 63, 64, 73 and 80 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Herrick in view of various combinations of U.S. Patent No. 6,618,906 to Ciesiun, U.S. Patent No. 6,457,838 to Dugmore, U.S. Patent No. 6,877,875 to Yu ("Yu"), U.S. Patent No. 5,893,630 to Mosquera, U.S. Patent No. 4,575,784 to Diau, and/or U.S. Patent No. 3,936,670 to Allen. Claims 11, 28-30, 33, 34, 36, 38-51, 60, 76, 77, 79, 81-83, 86-89 and 91 were objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim, claims 93-95 and 97-109 were allowed, and claim 96 would be allowable if rewritten in proper form. Each issue is addressed in more detail below.

**Claim Objections**

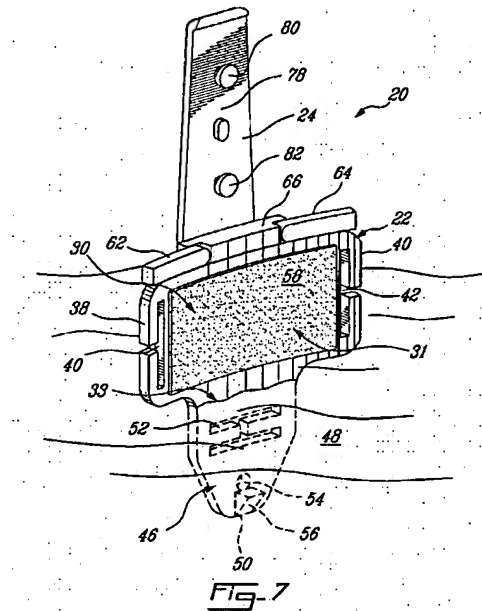
Applicant has corrected all of the claim informalities noted by the Examiner, as well as the claim objections under 35 U.S.C. § 112. In particular, the Office noted that the terms “surface mounting” and “support mounting” were both used to modify the subject “face,” rendering some of the claim language inconsistent. In response, Applicant has amended the claims to consistently recite “surface mounting” instead of “support mounting.” Applicant submits that in all instances in the original claims, “surface mounting” and “support mounting” were used to identify the same element and were inadvertently used interchangeably in the claims. All other informalities and 35 U.S.C. § 112 problems were corrected (or otherwise rendered moot, such as by cancellation of a claim) as requested by the Examiner. Applicant has corrected other informalities and typographical errors in the claims as well.

**Claim Rejections – 35 U.S.C. § 102(b)****Independent Claim 1:**

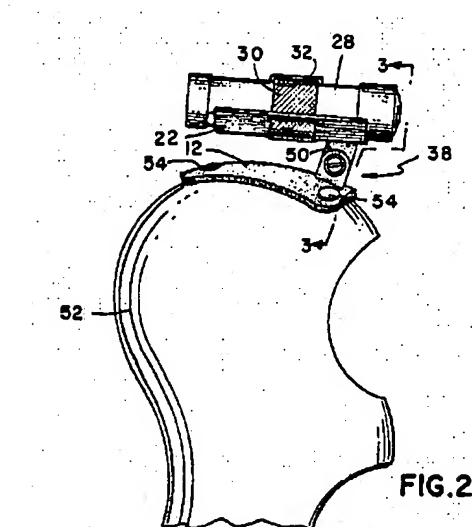
The Office Action rejected Claim 1 as anticipated by Herrick. Applicant respectfully disagrees. Specifically, Herrick does not disclose an anchoring element adapted to be anchored *within* a penetrable material. Instead, Herrick discloses a base plate having apertures for attaching the base plate *to* the hood of a helmet. See Herrick, Column 3, Lines 29-43 and FIG. 2. No portion of the base plate shown and described in Herrick is adapted to be anchored *within* a penetrable material, such as earth, sand, gravel or the like. See Applicant’s FIG. 7 and Paragraph 0049 of Applicant’s Published Application No. 2005/0157488. A comparison of Applicant’s FIG. 7 and Herrick FIG. 2 makes clear the distinction between an anchoring element adapted to

be anchored *within* a penetrable material, and a base plate that merely includes means for attaching the base plate *to* a surface such as a helmet:

Applicant's FIG. 7 (illustrating one embodiment of an anchoring element 46 adapted to be anchored *within* a penetrable material):



Herrick FIG. 2 (illustrating fastening means for attaching a base plate 12 *to* a helmet surface):



Thus, claim 1 is not anticipated by Herrick because Herrick does not disclose at least one element recited in claim 1.

**Independent Claim 31:**

The Office Action rejected claim 31 as anticipated by Herrick because Herrick purportedly discloses an auxiliary element in addition to an anchoring element. As described above with respect to Independent Claim 1, Herrick does not disclose an anchoring element adapted to be anchored within a penetrable material. Even if Herrick did disclose such an anchoring element, Herrick does not disclose a light support having *both* an auxiliary element and an anchoring element. Instead, Herrick discloses an *alternative*, not an *additional* or auxiliary fastening means for attaching the base member to the surface of a helmet. See Herrick Column 3, Lines 46-60 and FIG. 5. Herrick discloses the use of VELCRO, adhesives and snap fasteners as an alternative to ratchet fasteners, not in addition to the ratchet fasteners. Herrick FIG. 5, for example, shows only a VELCRO fastener, not a VELCRO fastener in addition to ratchet fasteners as suggested by the Examiner. Claim 31, then, is not anticipated by Herrick because Herrick does not disclose at least one element recited in Claim 31.

**Independent Claim 52:**

The Office Action rejected claim 52 as anticipated by Herrick. Applicant respectfully disagrees, especially in light of the amendments to claim 52 made herein. In particular, Herrick does not disclose an auxiliary element. As discussed above with respect to Independent Claim 31, Herrick discloses an alternative fastening means for fastening the base plate to the helmet or other surface, not an additional means for doing so. The auxiliary element of claim 52 can be used for a variety of purposes, including an *additional* support for mounting the base plate, or an

*additional* anchoring element for the base plate. See Paragraph 0055 of Applicant's Published Application No. 2005/0157488. Herrick does not disclose any features that can be used to add additional support or additional anchoring or fastening means. Rather, Herrick discloses only alternative means for fastening the base plate to the helmet. See Herrick Column 3, Lines 46-60. Thus, Herrick does not anticipate claim 52 as amended herein.

**Independent Claim 84:**

In the Office Action, Claim 84 was rejected as anticipated by Gary. Applicant respectfully disagrees, especially in light of the amendments to claim 84 made herein. Namely, Gary does not disclose an anchoring element. Instead, as noted by the Examiner, Gary discloses a base plate with an anti-tipping member or tab for increasing the frictional engagement between adjacent layers in which the base plate is anchored. Claim 84 recites a light support base plate including both an anchoring element and an anti-tipping member. As can easily be seen in Gary FIGS. 1 and 2, the base plate of Gary is anchored using the same parts as are used to increase the frictional engagement – parts 30, 32 and 12. Gary thus does not disclose a light support including both an anchoring element and an anti-tipping member, and does not anticipate claim 84 as amended herein.

**Dependent Claims:**

Independent Claims 1, 31, 52 and 84 are not anticipated by either Herrick or Gary, as established above. Thus, the claims that depend therefrom, namely, claims 2-30, 35, 37, 53-73 and 75 are also not anticipated by Herrick or Gary.

**Claim Rejections – 35 U.S.C. § 103(a)**

As established above, all independent claims currently pending in the application are not anticipated by Herrick or Gary. Therefore, none of the dependent claims are obvious with respect to Herrick, including claims 8-10, 14-16, 18, 21-23, 26, 27, 37, 57-59, 62-64, 73 and 80, which the Examiner found unpatentable over Herrick in view of various other patents. Thus, Applicant respectfully requests that the rejections on obviousness grounds be withdrawn.

**New Claims**

Applicant has added new claims 111-138 herein. The new claims are directed to the subject matter deemed allowable by the Examiner in the Office Action. Claim 111, for example, corresponds to original claim 91, which the Examiner found allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. Claim 111 is original claim 91 rewritten as requested. Claims 112-117 are dependent on claim 111, and thus are also directed to subject matter previously deemed allowable. Likewise, claim 118 corresponds to original claim 88 rewritten to include all of the limitations of the base claim and any intervening claims, and claim 119 corresponds to original claim 33 rewritten to include all of the limitations of the base claim and any intervening claims. Claims 120-138 depend from claim 119, and thus are also directed to previously allowed subject matter.

**Conclusion:**

In view of the remarks and amendments presented herein, it is respectfully submitted that claims 1-32, 35, 37, 52-73, 75, 84-89, 91-95, 97-109 and 111-138 are in condition for allowance and reconsideration of same and notice of allowance of the claims is respectfully requested.

Applicant submits that no new matter has been added to the application and requests that the Examiner telephone the undersigned in the event a telephone discussion would be helpful in advancing the prosecution of the present application, particularly before the issuance of a final rejection. Applicant hereby authorizes the fee for a one-month extension of time to be charged to Deposit Account No. 07-1509, Godfrey & Kahn, S.C.

Respectfully submitted,

GODFREY & KAHN, S.C.

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